

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

H. SCOTT GURVEY and AMY R. GURVEY,  
Plaintiffs,

Civ. No. 06-1779(DRD)

v.

**ORDER**

FIXZIT NATIONAL INSTALL SERVICES,  
INC., STEVE LEVI, JOSEPH M. RUTKOSKI,  
SR., JIM LAMBERTI HEATING, ELECTRICAL  
& AIR CONDITIONING, JIM LAMBERTI and  
DOES 1-X inclusive,

Defendants.

This matter having come before the Court on Plaintiffs' and Defendants Jim Lamberti Heating, Electrical & Air Conditioning and Jim Lamberti's (the "Lamberti Defendants") Motions for Summary Judgment and the Court having considered the submissions and oral argument of the parties; and for the reasons set forth in an Opinion of even date;

IT IS on this 8th day of February, 2011, hereby ORDERED that the Lamberti Defendants' Motion for Summary Judgment is GRANTED. Plaintiffs' Motion for Summary Judgment is DENIED. Plaintiffs' Complaint is DISMISSED.

s/ Dickinson R. Debevoise  
DICKINSON R. DEBEVOISE, U.S.S.D.J.